



PHA 4140 (3744)  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of Mark G. Obukowicz, et al.

Art Unit 1654

Serial No. 09/737,892

Filed December 15, 2000

Confirmation No. 2003

For SELECTIVE COX-2 INHIBITION FROM EDIBLE PLANT EXTRACTS

Examiner Michael V. Meller

February 2, 2004

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

COMMISSIONER FOR PATENTS

P.O. BOX 1450

ALEXANDRIA, VIRGINIA 22313-1450

SIR:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated October 2, 2003, rejecting the following claims: 1-5, 35, 37, 78-93.

The appeal fee of \$330.00 is submitted herewith.

The fee for a one month extension of time under 37 CFR 1.136(a) is also enclosed.

If there are any additional charges in this matter, please charge our Deposit Account No. 19-1345.

Respectfully submitted,

Timothy B. McBride, Reg. No. 47,781  
SENNIGER, POWERS, LEAVITT & ROEDEL  
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(314) 231-5400

02/04/2004 EFLORES 00000154 09737892

01 FC:1401  
02 FC:1251

330.00 OP  
110.00 OP

TBM/sxm

Express Mail Label No. EV 416450445 US

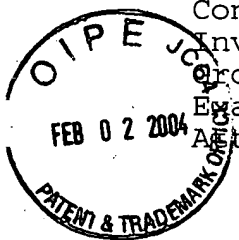
Box AF

01-03-04

Image

**FEE TRANSMITTAL**

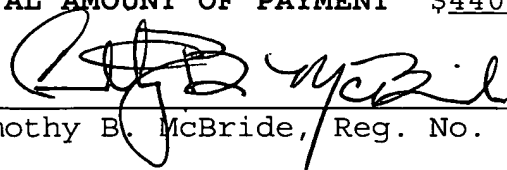
Application Number 09/737,892  
 Filing Date December 15, 2000  
 Confirmation No. 2003  
 Inventor(s) Mark G. Obukowicz, et al.  
 Group Art Unit 1654  
 Examiner Name Michael V. Meller  
 Attorney Docket Number PHA 4140(3374)

AF \$  
1600**METHOD OF PAYMENT**

1. ☐ The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.
- ☐ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.
- ☐ Applicant claims small entity status.
2. ☒ Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

**FEE CALCULATION**

1. ☐ BASIC FILING FEE Subtotal (1) \$ \_\_\_\_\_  
 (Type: \_\_\_\_\_)
2. ☐ EXTRA CLAIM FEES Subtotal (2) \$ \_\_\_\_\_  
 Total Claims \_\_\_\_\_  
 Independent Claims \_\_\_\_\_  
 Multiple Dependent Claims \_\_\_\_\_
3. ☒ ADDITIONAL FEES Subtotal (3) \$ 440.00
  - ☐ Surcharge - late filing fee or oath
  - ☐ Surcharge - late provisional filing fee or cover sheet
  - ☒ Extension for reply within first month
  - ☒ Notice of Appeal
  - ☐ Filing a Brief in Support of an appeal
  - ☐ Request for ex parte Reexamination
  - ☐ Petitions to the Commissioner
  - ☐ Submission of Information Disclosure Statement
  - ☐ Recording each patent assignment per property
  - ☐ Request for Continued Examination
  - ☐ Other: \_\_\_\_\_

**TOTAL AMOUNT OF PAYMENT** \$ 440.00
  
 Timothy B. McBride, Reg. No. 47,781

 February 2, 2004  
 Date

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